

Nicholas P. Roxborough, Esq. (Bar No. 113540)
Michael L. Phillips, Esq. (Bar No. 232978)
ROXBOROUGH, POMERANCE & NYE LLP
5820 Canoga Ave., Suite 250
Woodland Hills, California 91367
Telephone: (818) 992-9999
Facsimile: (818) 992-9991
E-Mail: npr@rpnlaw.com
mlp@rpnlaw.com

Attorneys for Plaintiffs/Counter-Defendants, LARGO
CONCRETE, INC. and N.M.N. CONSTRUCTION, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

LARGO CONCRETE, INC., a California
Corporation; N.M.N. CONSTRUCTION,
INC., a California Corporation.

Plaintiffs,

v.

LIBERTY MUTUAL FIRE
INSURANCE COMPANY, a
Massachusetts Corporation, and DOES 1
through 100, inclusive.

Defendants.

AND RELATED COUNTERCLAIM

Case No. C07-04651 CRB (ADR)
The Hon. Charles R. Breyer

**AMENDED STIPULATION AND
NOTICE OF:**

**1. CONTINUED HEARING ON
LIBERTY MUTUAL'S MOTION
TO DISQUALIFY ROXBOROUGH,
POMERANCE, & NYE, LLP;**

Current Hearing Date: 12/14/07
Proposed New Hearing Date: 12/21/07

Complaint filed: September 10, 2007
[Pursuant to Civil L.R. 7-7]


Pursuant to *Civil Local Rules 7-7* and 7-12 Plaintiffs/Counter-Defendants
LARGO CONCRETE, INC. and N.M.N. CONSTRUCTION, INC ("Largo") and
Defendant/Counter-Claimant LIBERTY MUTUAL FIRE INSURANCE COMPANY
("Liberty"), by and through their counsel, this Stipulation is entered into with respect to
the following facts:

1 B. The date upon which Liberty must file and serve their Reply Brief to
2 Largo's Opposition is extended to December 14, 2007.

3
4 IT IS SO STIPULATED.


5 DATED: November 26, 2007

ROXBOROUGH, POMERANCE & NYE LLP

6
7 By: 
8 NICHOLAS P. ROXBOROUGH, ESQ.
MICHAEL L. PHILLIPS, ESQ.
9 Attorneys for Plaintiffs/Counter-Defendants,
LARGO CONCRETE, INC. and N.M.N.
10 CONSTRUCTION, Inc.

11 DATED: November 26, 2007

SHEPPARD, MULLIN, RICHTER &
HAMPTON LLP

12
13 By: 
14 FRANK FALZETTA
15 Attorneys for Defendant/Counter-Claimant
LIBERTY MUTUAL FIRE INSURANCE
16 COMPANY

17 **ORDER**

18 PURSUANT TO STIPULATION, IT IS SO ORDERED

19 DATED:

20
21 Honorable Judge Charles R. Breyer
22
23
24
25
26
27
28

1 WHEREAS, this Stipulation will replace the Stipulation filed with the Court by
2 the parties on November 20, 2007 which erroneously contained a reference to the Initial
3 Case Management Conference which has been continued from December 14, 2007 to
4 January 11, 2008.

5 WHEREAS, on October 23, 2007, Liberty filed a Motion to Disqualify
6 Roxborough, Pomerance & Nye, LLP from representing Largo in this matter;

7 WHEREAS, Liberty's motion is currently set for hearing before this Court on
8 December 14, 2007;

9 WHEREAS, the parties are working together to conduct the depositions of
10 individuals providing evidence regarding the issues raised in Liberty's Motion to
11 Disqualify Roxborough, Pomerance & Nye, LLP from representing Largo in this matter;

12 WHEREAS, Lisa Kralik Hansen, an individual providing a declaration in support
13 of Liberty's motion, is unavailable to appear for deposition until the week of November
14 26, 2007;

15 WHEREAS, Largo desires to take the deposition of Lisa Kralik Hansen prior to
16 filing their Opposition to Liberty's Motion to Disqualify Roxborough, Pomerance &
17 Nye, LLP from representing Largo in this matter;

18 WHEREAS, Liberty may need to depose the individuals who provide declarations
19 in support of Largo's Opposition to Liberty Motion to Disqualify, prior to the filing of its
20 Reply Brief.

21
22 For these reasons, IT IS HEREBY STIPULATED by the parties, through their
23 respective counsel of record, that the Court enter an Order as follows:

24 A. The hearing on Liberty's Motion to Disqualify Roxborough,
25 Pomerance, & Nye, LLP currently scheduled for December 14, 2007 at 10:00 a.m. in
26 Courtroom 8 of this Court is continued to December 21, 2007 at 10:00 a.m. in
27 Courtroom 8 of this Court.
28